

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 15497 of 2007(T)

PETITIONER:

**MANI MADHAVADIYAN,
AVIKKUZHIARAPPUZHA VEEDU, OLATHANNI,
NEYATTINKARA, THIRUVANANTHAPURAM DISTRICT (WORKING AS
SWEEPER, KERALA NAVAL UNIT, N.C.C.ULLOOR,
THIRUVANANTHAPURAM).**

**BY ADV. SRI.R.BINDU (SASTHAMANGALAM),
SRI.PRASANTH M.P.**

RESPONDENTS:

- 1. UNION OF INDIA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF DEFENSE,
CENTRAL SECRETARIAT, NEW DELHI.**
- 2. THE DEPUTY DIRECTOR,
N.C.C DIRECTORATE, COTTON HILL,
VAZHUTHACAUD, THIRUVANANTHAPURAM.**
- 3. I NAVAL COMMANDANT, NCC, ULLOOR,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS ADMINISTRATIVE OFFICER.**

**BY GOVT. PLEADER SRI. BIJOY CHANDRAN,
ADV. SRI. P. PARAMESWARAN NAIR, CGC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO.15497 OF 2007-T

JUDGMENT

The petitioner is an ex-serviceman, who joined Government service in 1985. He is due to retire from service on 31.5.2007. He is sought to be superannuated, relying on his date of birth in the school records, which is 28.5.1952. The petitioner submits, as per the Army records, the relevant page of which is produced as Ext.P1, his date of birth is 7.9.1954. So, he prays, he should be retained in service till he attains the age of 55, in the light of the date of birth entered in Ext.P1. As per the relevant Rules in the K.S.R., the date of birth in the service records is entered based on school records. If the school records are got corrected in time and motion is made before the competent authority within the prescribed time limit, the date of birth shown in the service records can be corrected. Since the petitioner has woken up from his slumber only at the fag end of his career, no relief could be granted to him, in the light of several decisions of the Apex Court and

this Court on the question of correction of date of birth. Accordingly, the writ petition fails and it is dismissed.

24th May, 2007.

K.BALAKRISHNAN NAIR, JUDGE.

Nm/